

MAR 20 2007

Application No. 10/749170

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*Response To Restriction Requirement*

**REMARKS**

This communication is in response to the Office Action of February 26, 2007, wherein four species were identified and election of a single species was required.

In response to the restriction as best understood, Applicant provisionally elects species II with traverse. Species II is drawn to a stent "having proximal ends with unaligned second ends and distal ends having unaligned first ends," as recited in the Office Action.

Claims 1-20 are readable upon elected species II as broadly worded.

The restriction is traversed due to overlap between the various species as defined in the Office Action. For example, species IV "having an unaligned interior" overlaps with species III "having unaligned first and second ends throughout the stent." See e.g. Figure 3, which meets the textural description of both species III and IV provided in the Office Action. Moreover, Figure 2, which is mentioned in the Office Action in conjunction with species II, includes portions having "unaligned second ends" – the textural description of species I. Therefore, species I and II also overlap.

Applicant has assumed that the restriction was not drawn between the individual Figures of the application, as Figures 5-13 were not listed as additional species.

Applicant further notes that in addition to those species identified in the Office Action, additional species may exist which are described in the specification and claims and which are not subject to the restriction requirement identified by the Office Action.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: March 20, 2007

By: \_\_\_\_\_

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